

STATEHOUSE NEWS

March 12, 2009

Help for the Middle Class; Balancing the Budget

When we started this session, our goal was to help middle class families and Iowa businesses succeed in the global economy. We are now at the midpoint, and it's time to recap what we've accomplished so far and what we plan to do before session ends in April.

Disaster Assistance

The first thing we did was provide much needed assistance to those communities hit hard by the storms and floods of last summer. In House File 64, the Legislature provided \$56 million for housing relief, unmet individual assistance, and to help cities and counties meet their disaster related needs.

Make Iowa a "Green" State

Two bills working their way through the Legislature will help make Iowa an energy independent "green" state. House Study Bill 57 makes the tax credits currently available for large wind energy projects available to small and medium sized projects. State and private colleges and universities can also apply for the credits.

House File 339 allows local governments

to establish Wind Energy Innovation Zones. The program will expedite interconnection of small wind systems with electric utilities.



Foreclosure Prevention

Even with two incomes, Iowans can barely make ends meet and many families are under financial stress. The national foreclosure crisis is threatening middle class families with unaffordable mortgage costs.

House File 375 prohibits brokers or bankers from misleading borrowers or making false statements, charging fees for loans that don't materialize, or accepting any undisclosed compensation for their services. House File 251 provides mortgage protection to active

duty reservists, just as we do for members of the Iowa National Guard.

Information about the Iowa Mortgage Foreclosure Hotline is required to be given by lenders to homeowners at the first step of the foreclosure process in Senate File 364. All Iowans facing foreclosure or default on their home mortgage should call the Iowa Mortgage Help Hotline at 877-622-4866. It's free and confidential.

Crack Down on Corrupt CEO's

Last May, federal agents raided the Agriprocessors Plant in Postville and made national headlines. Since that time, Agriprocessors has been socked with two OSHA violations for unsafe working conditions and 57 child labor violations.

In an effort to prevent this tragic situation from happening again in Iowa, House File 618 cracks down on corporations and CEO's who exploit and abuse workers. It also increases penalties for not paying employees proper wages and violating child labor laws.

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Equip Our Children for the Future

Governor Culver has signed legislation increasing state aid to schools by 2% for the 2010-2011 school year. Senate File 218 will give Iowa schools an additional \$55.8 million in state aid. In addition, Senate File 217 increases funding for teacher quality, professional development and class-size reduction by 2% beginning with the 2010 school year.

The Legislature is also discussing House File 259 that requires

students, who attend public and accredited non-public schools, to remain in school through age 17. The new compulsory age requirement, if approved, would become effective beginning with the 2010 school year.

Fiscally Responsible Budget

Aside from the progress we've made on the issues above, the remainder of this session will be spent crafting a fiscally responsible budget. A few key principles will

guide the budget subcommittees in the weeks ahead:

- Avoid raising taxes on middle class families to balance the state budget.
- Identify and eliminate wasteful government spending.
- Improve government efficiency and stop duplication of services.
- Review and eliminate tax breaks for corporations that do not create or keep jobs in Iowa.

Wind Energy Innovation Zones Clears Hurdle

In a move to expand wind energy production in Iowa, the House Commerce Committee approved legislation allowing local governments to establish Wind Energy Innovation Zones.

The program will be administered by the Iowa Utilities Board (IUB) to expedite utility interconnection with small wind systems with a nameplate generating capacity of 100 kilowatts or less. The IUB



must develop a model interconnection agreement by June 1, 2010, which utilities must consider using.

The Iowa League of Cities, Iowa State Association of Counties, Iowa Environmental Council, Iowa Wind Energy Association, and the utility industry will develop a model ordinance. A local government must adopt the model ordinance with an expedited small wind system approval

process to qualify as a small wind energy innovation zone.

The bill also sets aside over 200 megawatts worth of unused large wind system production tax credits for small wind systems. The IUB must create a streamlined tax credit application process for small wind systems located in a Wind Energy Innovation Zone.

Iowa is now the second leading producer of wind energy in the country.

Online Help for Finding a Job

Iowa's one-stop employment website, which helps workers statewide locate job opportunities, continues to grow and improve. At any one time, there are over 15,000 job opportunities posted on IowaJobs.org.

Iowa Workforce Development (WFD) has recently improved the technology behind IowaJobs.org and added an option called "screenscraping." This new technology allows WFD to import employer job information into the site for posting. This frees up the employer's staff and time by automating the process.

Employer postings are updated twice per week. This ensures that

potential candidates receive the most up-to-date information.

Employers who use IowaJobs.org have many options for managing the job postings. These include the following:

- Post on-line and self-manage the postings.
- Post on-line and utilize WFD staff to manage the postings.
- Provide their information on the job to a local Workforce Center for posting.
- If a posting meets the qualifications of being a niche professional or technical career paying \$30,000 a year or more, it will also be posted on SmartCareerMove.com. That

site is managed by the Department of Economic Development.

- Posting a job on IowaJobs.org is free.
- For potential workers, there are also advantages:
 - It shows thousands of jobs posted each business day, with 24-hour access.
 - IowaJobs.org provides links to job listings in other states through America's Job Bank, and additional local, state, and federal jobs.
 - Current listings of job fairs are also listed including information for the nearest job fair in a worker's locale.

Expanding Wind Energy

The House Environmental Protection Committee approved a bill to expand wind energy production by providing more flexibility for use of state tax credits for wind projects.

House Study Bill 57 modifies tax credits directed at large wind energy projects to make these credits available to small and medium sized projects. Property tax credits are also extended to a lar-

ger variety of projects. These changes in the credits will allow them to be utilized more effectively.

The bill allows state and private colleges and universities to apply for credits for small wind projects that produce power that will be utilized by the college or university.

Minor changes to existing wind energy policy is also made to assure full usage of the credits. An exten-



sion is provided for projects that have been delayed due to the inability to purchase equipment because of shortages.

New Consumer Protections Approved by House Committee

The House Judiciary Committee passed a bill to create a private cause of action for consumer fraud. The bill, House Study Bill 80, has strong support from AARP and was brought by the Attorney General's Office.

Under current Iowa statute, only the Attorney General can bring fraud claims if Iowans are deceived by unscrupulous busi-

nesses. The Attorney General is only able to bring claims when a deception affects a relatively large number of Iowans.

House Study Bill 80 would allow every Iowan to protect themselves from fraudulent practices. The bill would allow Iowans to recover damages and receive relief if there was deception, fraud, false promises, or unfair practices. A successful liti-

gant could also receive reasonable attorney fees. If a court finds that an act was in "willful disregard for the rights or safety of another" the court can award punitive damages.

Iowa is the last state in the country that does not allow for a private cause of action for consumer fraud.

Iowa Moves to Protect Foreclosure on Reservists

Last week, the House Veterans Affairs Committee took a step forward in protecting members of the reserve component of the United States military. Under current state law, reservists and their families are not protected from mortgage foreclosures if the reservist is called to active duty.

House File 251 provides mortgage protection to active duty reservists, just like members of the Iowa National Guard.

In addition, the bill increases the penalty from a simple misdemeanor to a serious misdemeanor on individuals who knowingly repossess or foreclose on property of active duty members of the Iowa National Guard or their families. This brings Iowa law closer to federal penalties for other members of the Armed Forces.



In order to publicize the new law, the Iowa Department of Veterans Affairs and the Iowa Department of Commerce will work together to develop a plan to notify active duty members, as well as financial institutions, of the new protections.

The bill is now eligible for debate by the Iowa House.

Stimulus Funds for Trail and Transit Projects

At their March 10th meeting, the State Transportation Commission approved funding for a variety of road and trail projects. Many of the projects approved were funded with federal stimulus money approved in the American Recovery and Reinvestment Act (ARRA).

The Commission approved eight trail projects across the state based upon their location, level of readiness, potential for tourism and economic development impact, and geographic distribution. One of the requirements of the ARRA is that at least \$10 million be spent on transportation enhancement activities. All eight approved projects totaled \$5 million. A total of \$7 million is appropriated from ARRA for transportation enhancement activities to nine metropolitan planning organizations and 18

regional planning affiliations across Iowa.



The state of Iowa received \$36.5 million in transit funding through ARRA. Of that amount, \$10.5 million is allocated to Iowa's three metropolitan areas with a population greater than 200,000. The remaining dollars are allocated based on two statewide programs.

The first program is for transit programs that serve urbanized ar-

eas, which are communities between 50,000 and 200,000 in population. It is estimated that this program will receive \$11 million in funding. The second program is for transit programs that serve the non-urbanized areas of the state. It is estimated that this second program will receive \$15 million in funding.

The amount received from the ARRA for road projects is expected to total \$358 million. Of that total amount, \$238 million is allocated to the Department of Transportation, and \$120 million is allocated to Iowa's nine metropolitan planning organizations and 18 regional planning affiliations.

The department is expected to make an announcement concerning how the \$258 million will be expended in the near future.

Democrats Outline New \$100 million Flood Recovery Plan

Iowa House Democrats unveiled a new proposal to help Iowans recover from the weather-related disasters of last summer. The plan also calls for projects to prevent future flooding.

The \$100 million plan will provide funding to cities, counties, cultural institutions, non-profits, and middle-class Iowans who were devastated by the flooding and tornadoes. The largest portion, \$20 million, will go to prevent future flooding by building berms, making levee and floodgate repairs and improvements, and helping fund other flood aversion projects.

House Rebuild Iowa/Disaster Recovery Committee Chair Tom Schueller (D – Maquoketa) said, "We know many Iowa communities are still trying to put the pieces

back together. The goal is to prioritize state recovery efforts and help communities rebuild stronger than before."

The \$100 million recovery package includes:

- \$12.5 million for home buyouts
- \$5 million for day care relocation
- \$5 million for non-profit restoration
- \$9.5 million for multi-family housing projects
- \$14 million for storm water drainage projects
- \$15 million for cultural and historical projects
- \$6 million for soil and water conservation

- \$1.5 million in low-interest loans to prevent soil erosion
- \$795,500 for agriculture land management and a hydrology study
- \$1.3 million for an Iowa Flood Center
- \$5 million for mitigation through parks, green space, and recreation areas
- \$250,000 for improvements to the United Way 211 system
- \$1 million for flood plain mapping.

The measure is expected to pass out of the House Rebuild Iowa Committee and will then go to the House Appropriation Committee for consideration.

Damage Reaches \$25 million at Czech & Slovak Museum

In 1995, U.S. President Clinton and Czech President Havel attended the opening of the National Czech and Slovak Museum and Library in Cedar Rapids. Thirteen years later, the facility was underwater.

This week, museum president Gail Naughton told the House Rebuild Iowa/Disaster Recovery Committee that, when the Cedar River flooded last summer, seven

to eight feet of water rushed into the museum. Fortunately, there was some advance notice and only 25% of the museum's artifacts were destroyed. However, severe damage was done to five buildings, some exhibitions were a complete loss, and expansion plans are on hold.

Naughton estimated that it will cost \$25 million to return to full operation and she is hoping that the State of Iowa can provide some help. This fall, they received a do-

nation of \$400,000 from Czechoslovakia to help the museum.

Their first goal is to relocate some exhibits so they can reopen in the Czech neighborhood. They are also looking for somewhere to store exhibits and material that was not damaged. Eventually they will be able to return to the main building. However, until there is flood protection in place, other museums will not send exhibits to that building.

Equal Pay Act Approved by Committee

The House State Government Committee approved a bill addressing wage discrimination in Iowa. Under Senate File 137, it will be illegal to discriminate in pay based on gender, race, national origin, disability, or sexual orientation.

According to the Commission on the Status of Women, Iowa ranks 37th among all states for gender wage equity. On average, Iowa women earn 65% of what men in the same industry earn. A survey completed by the Commission shows that, in 2006, the median wage income among all Iowa

women working full time, year-round, was \$28,173. This was 80% of the median wage among full-time, year-round, male workers in Iowa.

President Obama signed the Ledbetter Equal Pay Act in January. This will address the issue on the federal level; however, federal law only applies to employers with 15 or more employees. Senate File 137 will apply to Iowa employers with at least four employees by providing protection from wage discrimination for those employees who are not covered by the federal law.

Employees who feel they have been discriminated against can file

a claim with the Iowa Civil Right Commission. Upon receiving a complaint, the commission will offer mediation to resolve the issue. If the case isn't settled, a full investigation may begin to determine probable cause. If probable cause is found, the commission will work to reach a settlement for the complainant. The case could go to a public hearing or be closed with a right-to-sue letter. If no probable cause is found, there will be no right-to-sue letter sent.

The committee amended the Senate file and it is now eligible for debate by the full House.

Local Water Quality Grants Available

Grants for local water quality projects are due by April 1st. The program is administered by the Iowa Department of Natural Resources (DNR) and the Iowa Department of Agriculture and Land Stewardship (IDALS) Division of Soil Conservation.

Local Soil and Water Conservation Districts can apply for funding

through a joint application project with DNR and IDALS. For these projects, applicants can contact Jim Gillespie, IDALS Field Services Bureau Chief, at (515) 281-7043, for more information.

Other water quality projects can apply by contacting Steve Hopkins, DNR watershed improvement coordinator, at (515) 281-6402. The

DNR can provide one-on-one assistance for applying for these grants.

More information on these grants can be found at <http://watershed.iowadnr.gov> or www.iowaagriculture.gov/soilConservation.asp.

Marshalltown Power Plant Application Withdrawn

Alliant Energy/Interstate Power and Light withdrew an air permit application for the construction of a coal fired power plant at the Sutherland Generating Station in Marshalltown. Follow-

ing the withdrawal, the Department of Natural Resources ended the public comment period for the project's air permit application. All public hearings on the project have been canceled.

All public documents related to the project can be found at:

<http://aq48.dnraq.state.ia.us:8080/airpermit/cepsd.jsp>.

Child Care Licensure

House File 419, which requires all home-based child care centers and child development homes to be licensed by July 1, 2013, passed the House Human Resources Committee this week. The bill is based on the recommendations of the State Child Care Advisory Council.

Home-based child care centers and development homes will be required to pay a licensure fee prior to being inspected by the De-

partment of Human Services (DHS). Once a fee is paid and an inspection is completed by DHS, the center will be licensed by the State of Iowa and will be listed publically as to meeting the licensure standards.

Additional requirements in the bill state that all individuals living at a child care home must have a national fingerprint background check.

The bill exempts from these requirements adult family members who provide child care to younger relatives, nannies who provide child care to children of one family, as well as friends or neighbors who provide child care with no fee to kids before or after school.

House File 419 is now eligible for debate by the Iowa House.

Deficiency Free Nursing Homes

During their annual inspections, 20 health care providers in Iowa were found to be deficiency free. The Iowa Department of Inspections and Appeals (DIA) has started honoring quality facilities and announced the names of the first 20 following inspections in January and February.

DIA licenses and certifies over 1,000 nursing, residential care, and intermediate care facilities, assisted living programs, elder group homes, and adult day service centers. Long-term care facilities are inspected annually; assisted living programs every two years.

Normally, the public hears about facilities that have problems. However, DIA wanted to recognize

those facilities that provide quality care. DIA says about 12% of long-term care facilities and 20% of assisted living programs in Iowa pass their health service inspections each year.

The 20 facilities honored so far this year include Sibley Nursing & Rehabilitation Center, Sibley; Spires Community Living Home, Dubuque; Mosaic-Cummins, Des Moines; Opportunities Unlimited - Berry Ridge, Sioux City; Keyway Community Living Home, Dubuque; Howard Residential Care Center, Cresco; Cottage Grove Place, Cedar Rapids; Pennington Square, Monticello; Terrace Park Senior Living, Leon; Odebolt As-

sisted Living, Odebolt; Oneota Housing, Inc., Decorah; Emerald Oaks, Emmetsburg; Theimer Group Home, Cedar Falls; Mosaic-McLane, Osceola; Highland Park Group Home, Des Moines; Country Lane Group Home, Waterloo; Carlton Drive Group Home, Cedar Falls; Winterset Care Center South, Winterset; Monroe Care Center, Albia; and Woodland Park, Anamosa.



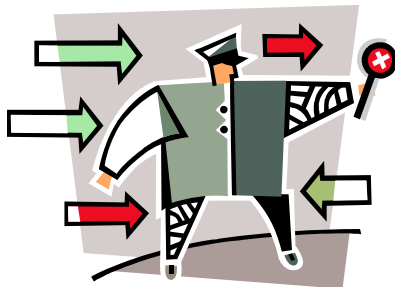
Reports of all inspections are located on the Nursing Home Report Card web site at https://dia-hfd.iowa.gov/DIA_HFD/Home.do.

Reserve Peace Officer Training Requirements

Under a bill that passed out of the House Public Safety Committee, reserve peace officers that were appointed before July 1, 2007, will be exempt from new training requirements that went into effect on July 1, 2007. House File 470 gives the appointing authority discretion as to whether to waive the requirement for the new training requirements. Some legislators, who remember the debate in 2007, say the intent was to grandfather in current reserve officers so they did not need to take the training.

The Legislature adopted the new requirements in 2007 to ensure consistency in the training received by the peace officers. This includes 80 hours of classroom

training in a variety of topics, such as criminal law, motor vehicle laws, and working with your community.



Training for peace officers prior to this legislation was up to the appointing authority, but it did consist of 150 hours of training. The language adopted in 2007 stated that reserve officers appointed on or be-

fore July 1, 2007, could test out of the training requirements, but they were not grandfathered in.

Reserve officers who complete the new training requirements will receive a certificate, and will be considered certified reserved peace officers. If House File 470 becomes law, individuals who were reserve officers prior to July 1, 2007, will still be reserve officers, but will not be certified unless they test out of the new requirements or complete the new training.

House File 470 is ready for consideration by the full House.

Iowans Use Their Public Libraries

The Joint House and Senate Education Appropriations Budget Subcommittee heard a presentation from State Librarian Mary Wegner. She presented some interesting facts about Iowa libraries and told the committee that Iowans are using their libraries more than ever.

Iowa has 543 public libraries, more than 80 college and university libraries, and about 1,400 school libraries. Libraries are essential components in their communities. Direct state aid helps people in the community who cannot afford a home computer. They can come into the library and use the computers, as well as access the internet to look for employment or help them to write resumes.

State Librarian Wegner updated the committee on programs for libraries that are funded with state dollars. The Enrich Iowa Program improves library services for Iowans. It includes three programs:

- Direct state aid helped 473 Iowa public libraries provide programs for children and adults, as well as purchase books, supplies and computers they could not otherwise offer their customers. The program is designed to enhance, not to replace, local funding. The program was initiated in 1999 leading to a 94% increase in the number of accredited libraries in Iowa.
- Open Access lets Iowans walk into almost any Iowa library and borrow books and other materials. Iowans can return the materials they borrowed from any library to their own community library.

- Access Plus funding helps libraries borrow books and other materials from other libraries if their library doesn't own something a customer is looking for. The 607 libraries participating in this program loaned 269,598 items in fiscal year 2008.

A survey conducted with 42 of the largest public libraries in Iowa, serving 1.6 million Iowans, compared library usage in 2007 with usage in 2008. Results show that usage increased in 2008 by 7.64%. There was also a 6.86% increase in materials being checked out and a 5.97% increase in visits to the public libraries.